

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

WILLIAM DEE WOOD, JR.,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-07-1280-HE
	)	
JUSTIN JONES (D.O.C.) DIRECTOR,	)	
	)	
Respondent.	)	


**ORDER**

Petitioner William Dee Wood, Jr., a state prisoner appearing pro se, instituted this action pursuant to 28 U.S.C. § 2254 seeking habeas relief. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred for initial proceedings to Magistrate Judge Robert E. Bacharach, who has recommended that a motion to dismiss filed by the respondent be granted. The magistrate judge concluded that statutory tolling was not available and that the petitioner had failed to demonstrate that the one-year limitations period should be equitably tolled. The petitioner has filed an objection.

Having conducted a de novo review, the court concurs with Magistrate Judge Bacharach that the statutory year to file has expired with respect to the petitioner's claims, *see* 28 U.S.C. § 2244(d)(1)(A), and that, in the circumstances of this case, the limitations period is not subject to statutory or equitable tolling. Accordingly, the court adopts Magistrate Judge Bacharach's Report and Recommendation, **GRANTS** the respondent's motion [Doc. #10], and dismisses the petition for writ of habeas corpus.

**IT IS SO ORDERED.**

Dated this 25th day of February, 2008.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE